United States District Court

EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

ROOR INTERNATIONAL BV	§
AND SREAM, INC.,	§
Plaintiffs,	§
	§
v. AZHAR SALEEM and POTA POTI, INC. d/b/a AZHAR'S HOUSE,	§ Civil Action No.: 4:18-cv-715-ALM-KPJ
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Defendants.	8
	§

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 12, 2019, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #33) that Defendants' Azhar Saleem and Pota Poti, Inc. d/b/a Azhar's House (collectively, "Defendants") Motion to Dismiss (Dkt. #12) be granted in part and denied in part.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Accordingly, Defendants' Motion to Dismiss (Dkt. #12) is **GRANTED IN PART and DENIED IN PART**.

Defendants' Motion to Dismiss (Dkt. #12) is **GRANTED** as to Plaintiff Sream, Inc.'s claims under 15 U.S.C. § 1114 (Count One) and 15 U.S.C. § 1116(d) (Count Two). Defendants' Motion to Dismiss (Dkt. #12) is **DENIED** as to Plaintiff Sream, Inc.'s claim under 15 U.S.C.

§ 1125(a) (Count Three), and as to all claims (Counts One, Two, and Three) asserted by Plaintiff RooR International BV.

IT IS SO ORDERED.

SIGNED this 29th day of August, 2019.

AMOS L. MAZZANT

UNITED STATES DISTRICT JUDGE